

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7062 OF 2018

Ramesh Ananda Patil

Petitioner

Versus

The State Election Commissioner
& others

Respondents

Mr. D.B.Thoke, advocate for petitioner.

Mr. S.T. Shelke, advocate for respondent no. 1.

Mr. P.R. Patil, advocate for respondent no. 4.

CORAM : R.M.BORDE &

A.M. DHAVALÉ, JJ.

DATE : 4th JULY, 2018

PER COURT:

1. Petitioner is praying for issuance of directions for inclusion of his name in the Electoral Roll prepared for the purpose of holding elections to Jalgaon Municipal Corporation.
2. It is informed that the cut off date prescribed by the State Election Commission for inclusion of names in the Electoral Roll was 21.05.2018. It is further informed that the draft Electoral Rolls were published on 05.06.2018 and objections were invited upto 14.06.2018. Wardwise publication of Electoral Rolls was made on 27.06.2018.
3. Petitioner tendered application for inclusion of name in the Electoral Roll on 28.06.2018 i.e. much after the cut off date prescribed by the State Election Commission. It is also contended by petitioner that he tendered an application in form no. 6 under

Rule 13(1) of the Registration of Electors Rules, 1960. However, said application has also been tendered after the prescribed date i.e. on 15.06.2018. Considering this aspect, no direction as requested by petitioner can be issued. The name of the petitioner does not appear in the Electoral Roll prepared for the State Legislative Assembly elections. As per the provisions of the act governing elections to the Municipal Corporation, the Electoral Roll prescribed for the Assembly Constituency shall have to be divided into different parts and the wardwise list of electors is required to be published. The Electoral Roll prepared for the Legislative Assembly constituency is the basis for holding elections to the Municipal Corporation. Since the name of petitioner does not find place in the Electoral Roll prepared for the Legislative Assembly Constituency, no direction, as requested by petitioner, for inclusion of his name in the list prepared for holding elections to the Municipal Corporation, can be issued. Writ petition is devoid of substance hence stands rejected.

A.M. DHAVALÉ
JUDGE

R.M.BORDE
JUDGE